

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

ONDA, Hironori
12-1, Ohmiya-cho 2-chome
Gifu-shi
Gifu 500-8731
JAPON



Date of mailing (day/month/year)
03 August 2006 (03.08.2006)

Applicant's or agent's file reference
P3S2004320

IMPORTANT NOTIFICATION

International application No.
PCT/JP2004/016275

International filing date (day/month/year)
02 November 2004 (02.11.2004)

Applicant

POKKA CORPORATION et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
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Authorized officer

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference P3S2004320	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/016275	International filing date (<i>day/month/year</i>) 02 November 2004 (02.11.2004)	Priority date (<i>day/month/year</i>) 06 November 2003 (06.11.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant POKKA CORPORATION			

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 6 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																							
<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited																							
<input type="checkbox"/>	Box No. VII	Certain defects in the international application																							
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 24 July 2006 (24.07.2006)
Facsimile No. +41 22 338 82 70	Authorized officer <div style="text-align: center; font-weight: bold;">Masashi Honda</div> e-mail: pt08@wipo.int

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

P3S2004320

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2004/016275

International filing date (day/month/year)

02.11.2004

Priority date (day/month/year)

06.11.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

POKKA CORPORATION

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/016275

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/016275

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	2-3, 5-6, 8-14	YES
	Claims	1, 4, 7, 15-29	NO
Inventive step (IS)	Claims		YES
	Claims	1-29	NO
Industrial applicability (IA)	Claims	1-29	YES
	Claims		NO
2. Citations and explanations:			
<p>Document 1: JP 2003-33137 A (T. Hasegawa. Co., Ltd.), 04 February 2003, Full text</p> <p>Document 2: JP 2001-292721 A (T. Hasegawa. Co., Ltd.), 23 October 2001, Full text</p> <p>Document 3: JP 2000-135059 A (Inabata Koryo Co., Ltd.), 16 May 2000, Full text</p> <p>Document 4: JP 10-77496 A (T. Hasegawa. Co., Ltd.), 24 March 1998, Full text</p> <p>Document 5: JP 7-115 A (Ralph L. COLTON), 06 January 1995, Full text</p> <p>Document 6: JP 2-203750 A (San-Ei Chemical Industries, Ltd., Otsuka Chemical Co., Ltd.), 13 August 1990, Full text</p> <p>Document 7: JP 2-203749 A (San-Ei Chemical Industries, Ltd., Otsuka Chemical Co., Ltd.), 13 August 1990, Full text</p> <p>Document 8: JP 59-109133 A (T. Hasegawa. Co., Ltd.), 23 June 1984, Full text</p> <p>Document 9: JP 58-86043 A (Gen Foods Corp.), 23 May 1983, Full text</p> <p>Document 10: JP 2-46267 A (Yasuma Co., Ltd.), 15 February 1990, Full text</p> <p>Document 11: US 3689278 A (Robert J. Carbonell), 05 September 1972, Full text</p> <p>Document 12: JP 61-119140 A (Takasago Perfumery Co., Ltd.), 06 June 1986, Full text</p> <p>Document 13: JP 2003-144050 A (UCC Ueshima Coffee Co., Ltd.), 20 May 2003, Full text</p> <p>Document 14: JP 2000-50801 A (Asahi Soft Drinks Co., Ltd.), 22 February 2000, Full text</p> <p>Document 15: JP 5-123108 A (Kabushiki Kaisha Uji Kadotaen), 21 May 1993, Full text</p> <p>Document 16: JP 4-170497 A (Shinagawa Fuel Co., Ltd., Tokyo Kookhii Roosutaa KK), 18 June 1992, Full text</p> <p>Document 17: JP 4-93642 A (Kanebo Ltd.), 26 March 1992, Full text</p> <p>Document 18: JP 1-256347 A (Kikkoman Corp.), 12 October 1989, Full text</p> <p>Document 19: JP 1-252250 A (Kanebo Ltd., Kanebo Kuji KK), 06 October 1989, Full text</p> <p>Document 20: JP 2000-166474 A (Soda Aromatic, Co., Ltd.), 20 June 2000, Full text</p> <p>Document 21: JP 6-276941 A (Takasago Perfumery Co., Ltd.), 04 October 1994, Full text</p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/016275

Box No. VI Certain documents cited

1. Certain published documents (Rule 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
JP 2004-298065 A	28.10.2004	31.03.2003	
[P, X]			

2. Non-written disclosures (Rule 43bis.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/016275

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

The inventions of claims 1, 4, 24 and 26-27 do not possess novelty and involve an inventive step based on documents 1-12 cited in the ISR.

The inventions of claims 2-3 and 5-6 do not involve an inventive step based on documents 1-12 cited in the ISR.

The invention of claim 7 does not possess novelty or involve an inventive step based on documents 1-10 cited in the ISR.

The invention of claim 8 does not involve an inventive step based on documents 1-10 and 13-14 cited in the ISR.

The inventions of claims 9-12 do not involve an inventive step based on documents 1-10, 13-14 and 18 cited in the ISR.

The invention of claims 13 does not involve an inventive step based on documents 1-10, 13-14, 15-17 and 19 cited in the ISR.

The invention of claim 14 does not involve an inventive step based on documents 1-10 and 20-21 cited in the ISR.

The inventions of claims 15-17 do not possess novelty or involve an inventive step based on documents 10-12 cited in the ISR.

The invention of claim 18 does not possess novelty or involve an inventive step based on document 11 cited in the ISR.

The inventions of claims 19-23 and 25 do not involve an inventive step based on documents 1-12 cited in the ISR.

The invention of claim 28 does not possess novelty or involve an inventive step based on document 3.

The invention of claim 29 does not possess novelty or involve an inventive step based on document 1.